

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FAYETTEVILLE DIVISION

..... X  
JILL DILLARD, JESSA SEEWALD, JINGER  
VUOLO, and JOY DUGGAR, : Civil Action No.: 17 Civ. 5089 (TLB)  
Plaintiffs,  
- against -  
CITY OF SPRINGDALE, ARKANSAS;  
WASHINGTON COUNTY, ARKANSAS;  
KATHY O'KELLEY, in her individual and  
official capacities; ERNEST CATE, in his  
individual and official capacities; RICK HOYT,  
in his individual and official capacities; STEVE  
ZEGA, in his official capacity; BAUER  
PUBLISHING COMPANY, L.P.; BAUER  
MAGAZINE, L.P.; BAUER MEDIA GROUP,  
INC.; BAUER, INC.; HEINRICH BAUER  
NORTH AMERICA, INC.; BAUER MEDIA  
GROUP USA, LLC; and DOES 1-10, inclusive,  
Defendants.  
..... X

**NOTICE OF MOTION TO STAY BY DEFENDANTS BAUER PUBLISHING  
COMPANY, L.P.; BAUER MAGAZINE, L.P.; BAUER MEDIA SALES, INC.; BAUER,  
INC.; HEINRICH BAUER NORTH AMERICA, INC.; AND  
BAUER MEDIA GROUP USA, LLC**

Defendants, Bauer Publishing Company, L.P.; Bauer Magazine, L.P.; Bauer Media Sales,  
Inc., formerly known as Bauer Media Group, Inc.; Bauer, Inc.; Heinrich Bauer North America,  
Inc.; and Bauer Media Group USA, LLC (collectively, the “Bauer Defendants”) by their  
attorneys, Davis Wright Tremaine LLP and Cross, Gunter, Witherspoon & Galchus, P.C., and for  
their Motion to Stay, state:

1. The Bauer Defendants request that this Court stay this proceeding pending the resolution  
of their dispositive motion to dismiss pursuant to the Court’s broad discretion to manage and  
control its docket and as a means to avoid unnecessary and costly proceedings and discovery.

Alternatively, the Court may stay this proceeding and discovery pursuant to Section 507 of the Arkansas Citizen Participation in Government Act, Ark. Code Ann. §§ 16-63-501 *et seq.* (the “Anti-SLAPP statute”).

2. The Bauer Defendants request the stay include a stay of the Rule 26(f) Conference, Initial Disclosures pursuant to Fed. R. Civ. P 26(a)(1), Rule 26(f) Report, any other action required under Fed. R. Civ. P. 26, Case Management Hearing, deadlines to amend pleadings or file third party claims, and any further scheduling order, discovery, or trial.

3. This Motion to Stay is for good cause and no prejudice will result to any party. Rather, judicial resources will be preserved and litigation costs reduced as a result of the requested stay.

4. The Bauer Defendants have filed a Brief in Support of this Motion to Stay.

WHEREFORE, the Bauer Defendants respectfully request that this Court stay any and all pre-trial proceedings in this case until such time as the Bauer Defendants’ motion to dismiss is resolved.

Dated: New York, New York  
August 22, 2017

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

By: /s/ Elizabeth A. McNamara  
Elizabeth A. McNamara  
Jamie S. Raghu  
1251 Avenue of the Americas, 21<sup>st</sup> Floor  
New York, New York 10020  
Telephone: (212) 489-8230  
Fax: (212) 489-8340  
Email: lizmcnamara@dwt.com  
jamieraghu@dwt.com

Cynthia W. Kolb  
CROSS, GUNTER, WITHERSPOON & GALCHUS,  
P.C.

500 President Clinton Avenue, Suite 200  
Little Rock, Arkansas 72201  
Telephone: (501) 371-9999  
Fax: (501) 371-0035  
Email: ckolb@cgwg.com

*Attorneys for Defendants Bauer Publishing Company,  
L.P.; Bauer Magazine, L.P.; Bauer Media Sales, Inc.;  
Bauer, Inc.; Heinrich Bauer North America, Inc.; and  
Bauer Media Group USA, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of August, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

Lauren Wulfe  
Robert O'Brien  
Steven Bledsoe  
Larson O'Brien LLP  
555 S. Flower Street  
Suite 4400  
Los Angeles, CA 90071

Sarah Coppola Jewell  
Shawn B. Daniels  
Hare Wynn Newell Newton LLP  
129 West Sunbridge Drive  
Fayetteville, AR 72703

Jason E. Owens  
Rainwater, Holt & Sexton, P.A.  
P.O. Box 17250  
Little Rock, AR 72222-7250

Robert Justin Eichmann  
Thomas N. Kiekak  
Harrington, Miller, Kiekak, Eichmann & Brown, P.A.  
4710 S. Thompson, Ste. 102  
Springdale, AR 72764

Susan Keller Kendall  
Kendall Law Firm, PLLC  
3706 Pinnacle Hills Parkway  
Suite 201  
Rogers, AR 72758

\_\_\_\_\_  
/s/ Jamie S. Raghu